

**MOTION TO STAY ENFORCEMENT & PRESERVE STATUS QUO –  
NORTHERN DISTRICT OF GEORGIA**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**Case No. 1:24-cv-03583-VMC**

**FILED IN CHAMBERS  
U.S.D.C. Atlanta**

DEC 8 2025  
By:   
Kevin P. Welmer, Clerk  
Deputy Clerk

SECURITIES AND EXCHANGE COMMISSION,  
Plaintiff,

v.

DRIVE PLANNING, LLC, et al.,  
Defendants,

and

MARK PAUL HAYE,  
Interested Party.

**MOTION TO STAY ALL POST-JUDGMENT ENFORCEMENT AND  
PRESERVE STATUS QUO PENDING APPEAL**

Mark Paul Haye, pro se, respectfully moves this Court to **stay all post-judgment enforcement**, including any Rule 70 actions and possession efforts, and states:

**1. APPEAL IS ACTIVE AND JURISDICTION IS VESTED IN THE  
ELEVENTH CIRCUIT**

The Turnover Order is currently under appellate review (Case No. 25-12437-E). Under **Griggs**, this Court lacks jurisdiction to effectuate any enforcement actions that alter possession of the subject property.

**2. SERVICE VIOLATIONS RENDER THE TURNOVER ORDER VOID**

On May 21, 2025, this Court ordered **formal service** with a 14-day response period. That order was **never complied with**. No valid Certificate of Service

exists; therefore, the Turnover Order is **void** under **Peralta, Burke v. Smith,** and **Mullane**.

### **3. EQUITY, HOMESTEAD, AND DUE PROCESS REQUIRE MAINTENANCE OF THE STATUS QUO**

This case concerns:

- **A fraud-tainted mortgage** using Appellant's own Ponzi-scheme funds;
- **Absolute Florida homestead protections;**
- **A pro se victim** who lost all funds and now faces homelessness.

Status quo preservation is the correct equitable result while review is pending.

**WHEREFORE, Movant respectfully requests that this Court:**

1. **Stay all post-judgment enforcement actions;**
2. **Suspend any Rule 70 deeds, writs, or possession orders;**
3. **Acknowledge that exclusive jurisdiction now lies with the Eleventh Circuit.**

Respectfully submitted,

/s/ **Mark Paul Haye**  
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